IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

Bail Appl..No. 7170 of 2007()

CRMP.3592/2007 of II ADDL. DISTRICT COURT, KOLLAM
CRIME NO.1072/07 OF EAST POLICE STATION, KOLLAM

.....

: PETITIONER/ACCUSED:

SATHEESH, S/O. SASI,
KASHMEERAM VEEDU, KANDOLI VAYAL,
ULIYACOVIL, KOLLAM DISTRICT.

BY ADV. SRI.B.S.SIVAJI

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No. 7170 of 2007

Dated this the 23rd day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 308 I.P.C. He is the sole accused. The crux of the allegations against the petitioner is that on 13/10/2007, he had attempted to catch hold of the pocket of the jeans worn by the de facto complainant. There was an exchange of words. The petitioner went to a neighbouring shop, collected a scissors and using that allegedly inflicted injury on the de facto complainant. Injuries were suffered on the neck of the de facto complainant. A complaint was lodged by the de facto complainant alleging commission of the offence under Section 308 I.P.C. Investigation is in progress. The petitioner was arrested on 16/10/2007. He continues in custody from that date. Prosecution has no specific case about the motive for infliction of the injury. It would appear from the F.I statement that there was an attempt to take away something from the pocket of the de facto complainant. The accused also does not suggest any specific motive for alleged false implication though he also contends that without any motive, he was attacked by the de facto complainant.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioner who remains in custody from 16/7/2007 subject to appropriate conditions can now be released on bail.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007